

REMARKS

The application has been reviewed in light of the Office Action dated March 27, 2003.

Claims 1-50 are pending in this application, with claims 1, 25, 45, 46, 49 and 50 being in independent form. By the present Amendment, claims 1, 5, 19 and 24-46 have been amended to attend to formal matters not effecting the scope of the claims and for reasons unrelated to patentability and claims 47-50 have been added. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

Claims 1, 19, 24 and 46 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. It is believed that the formal changes made to the claims also address the issues raised in the Section 112, second paragraph rejections. Withdrawal of the rejections under Section 112, second paragraph, is respectfully requested.

Claims 1-7, 12, 13, 17, 24-27, 29, 31, 40 and 44-46 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent 6,182,110 to Barroux. Claims 8, 14, 15, 18, 20, 21, 28-30 and 32-35 were rejected under 35 U.S.C. §103(a) as allegedly obvious from Barroux in view of U.S. Patent 5,781,908 to Williams et al. Claims 10, 11 and 36 were rejected under Section 103(a) as allegedly obvious from Barroux in view of U.S. Patent 6,160,988 to Shroyer. Claims 16 and 41 were rejected under Section 103(a) as allegedly obvious from Barroux in view of U.S. Patent 6,323,882 to Jerome et al. Claims 22, 42 and 43 were rejected under Section 103(a) as allegedly obvious from Barroux in view of U.S. Patent 5,819,263 to Bromley et al. Claim 23 was rejected under Section 103(a) as allegedly obvious from Barroux in view of Bromley et al. and U.S. Patent 5,537,550 to Russell et al. Claims 37-39 were rejected under Section 103(a) as allegedly obvious from Barroux in

view of Russell et al. Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit independent claims 1, 25, 45 and 46 are patentably distinct from the cited art, for at least the following reasons.

Independent claim 1 relates to a job scheduling device for scheduling jobs to run on at least one node of at least one computing platform. The device comprises an enterprise scheduling agent installed on each node and configured to launch execution of jobs submitted to the agent, a presentation system configured to accept and validate parameters identifying at least one job to be submitted for execution on at least one of the nodes and a job scheduler configured to allocate at least one job to at least one enterprise scheduling agent based on the parameters and to submit the allocated jobs to the at least one enterprise scheduling agent.

Barroux, as understood by Applicants, relates to a system for scheduling tasks on a network. A user can schedule node-specific survey tasks across the network without specifying particular times for each node. However, Barroux is not understood to teach or suggest a device for *scheduling jobs to run on nodes* comprising a scheduling agent installed on each node and configured to *launch execution of jobs submitted to the agent*, a presentation system configured to accept and validate parameters identifying at least one job to be submitted for execution on at least one of the nodes and a job scheduler configured to allocate at least one job to at least one enterprise scheduling agent based on the parameters and to submit the allocated jobs to the at least one enterprise scheduling agent, as recited in independent claim 1.

Accordingly, Applicant submits independent claim 1 is patentably distinct from the cited art. Independent claim 46 is believed to be patentably distinct for at least similar reasons.

Applicant also finds no teaching or suggestion of a method of scheduling jobs across multiple networked computing platforms, comprising determining at least one job based on job parameters for

at least one job to be scheduled, sending the at least one job to at least one scheduling agent maintained on a selected nodes of the computer platforms and executing each job on the selected node under management of said scheduling agent, as recited in independent claim 25. Independent claim 45 is believed to be patentably distinct for at least reasons similar to claim 25.

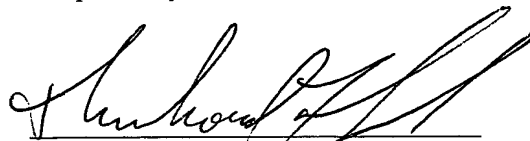
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', written over a horizontal line.

RICHARD F. JAWORSKI

Reg. No.33,515

Attorney for Applicants

Cooper & Dunham LLP

Tel.: (212) 278-0400